

## Notice of Determination

## Appendix D

## To:

☒ Office of Planning and Research  
 U.S. Mail: Street Address:  
 P.O. Box 3044 1400 Tenth St., Rm 113  
 Sacramento, CA 95812-3044 Sacramento, CA 95814

☒

County Clerk  
 County of: San Luis Obispo  
 Address: 1055 Monterey Street  
San Luis Obispo, Ca 93408

## From:

Public Agency: Templeton CSD  
 Address: 420 Crocker Street, PO Box 780  
Templeton, California 93465  
 Contact: Bettina Mayer  
 Phone: (805) 434-4900

Lead Agency (if different from above):  
 Address: \_\_\_\_\_

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.** (ENDORSED)

**FILED**

State Clearinghouse Number (if submitted to State Clearinghouse): 2012041010

Project Wastewater Flow Re-Routing Project – Change to Proposed Alignment  
 Change:

NOV 04 2015

Project Applicant: Templeton Community Services District

TOMMY GONG, COUNTY CLERK  
 ANGELA MCCORMICK  
 DEPUTY CLERK

Project Location (include county): San Luis Obispo County, between Atascadero and Paso Robles

Project Change Description:

See Attachment A

This is to advise that the Templeton CSD

has approved the above

(☒ Lead Agency or ☐ Responsible Agency)

described project change on November 3, 2015 and has made the following determinations regarding the above  
 (date)  
 described project change.

1. The project change will not have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
☒ A Subsequent Mitigated Negative Declaration was prepared for this project change pursuant to the provisions of CEQA.
3. New mitigation measures were made a condition of the approval of the project change.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project change.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project change.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the Subsequent Mitigated Negative Declaration with comments and responses and record of project change approval, or the negative Declaration, are available to the General Public at:

Templeton CSD office located at 420 Crocker Street, CA 93465

Signature (Public Agency): [Signature] Title: General Manager

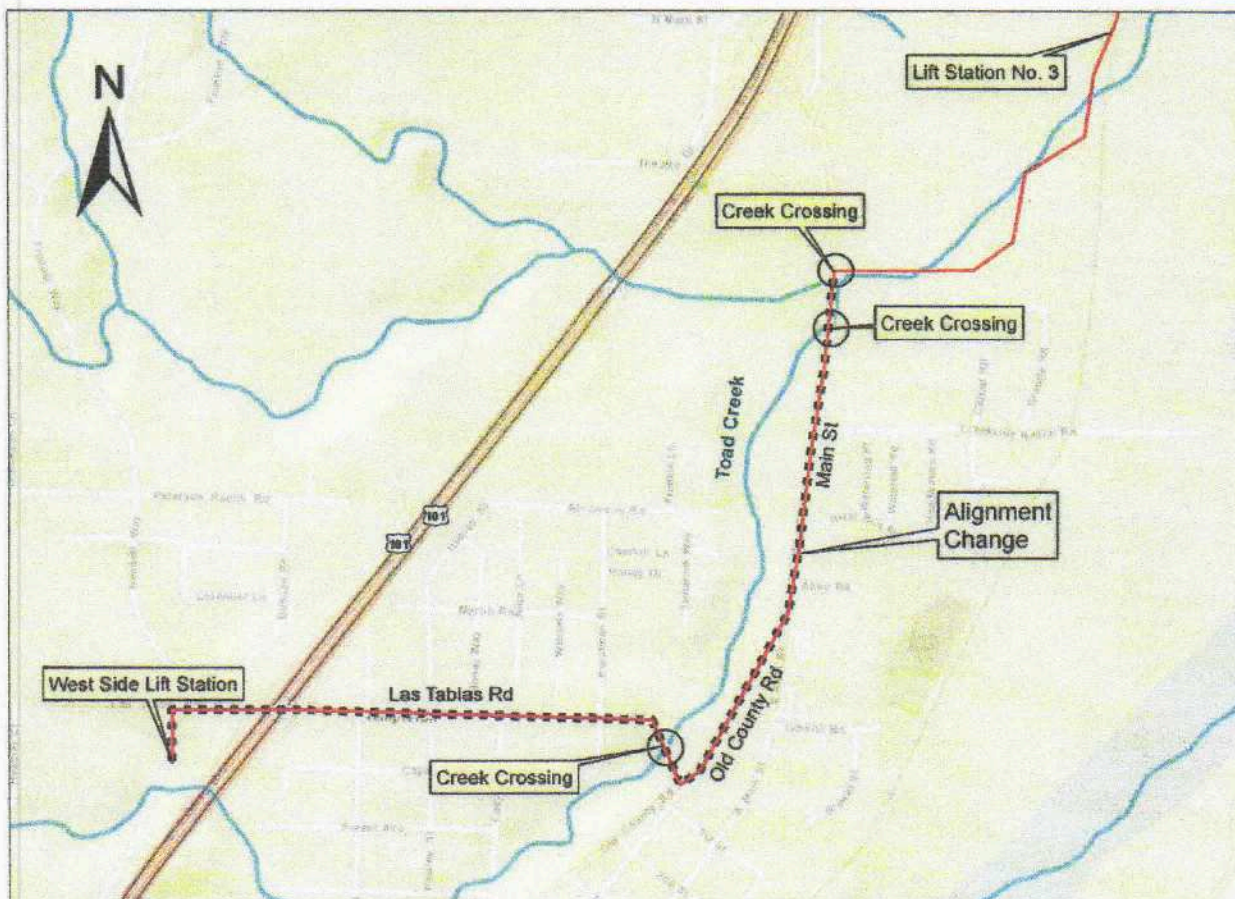
Date: Nov 4, 2015 Date Received for filing at OPR: \_\_\_\_\_



Subsequent Notice of Determination  
Attachment A

Project Change Description:

The new pipeline alignment would run along approximately 1.5 miles within existing road rights-of-way and streets. The northern end of the new pipeline alignment begins approximately 1000 feet south of the Highway 101 overpass where the project force main enters North Main Street, and then travels south along N. Main Street to Old County Road. The pipeline will then follow Old County Road south to the intersection of Las Tablas Road. The route will continue along Las Tablas Road and travel under Highway 101. The pipeline will turn south at Bennett Way and terminate at the existing Westside Lift Station. The pipeline will be within rights-of-way of existing roadways. It will pass in front of commercial retail, residential suburban, office professional, recreation, commercial service, residential single family, and residential multi-family land use designations adjacent to the roadway. The revised alignment considered in the Subsequent Mitigated Negative Declaration and Initial Environmental Study ("IES") includes three creek under-bore crossings: two under North Main Street and Toad Creek and one under-bore crossing where Las Tablas crosses Toad Creek; and one boring under US Highway 101 at Las Tablas Road.



Proposed Pipeline Alignment (Change Only)



MAY 25 2012

## Notice of Determination

Appendix D

TO:

☒ Office of Planning and Research

For U.S. Mail:

P.O. Box Box 3044

Sacramento, CA 95812-3044

JULIE L. RODEWALD COUNTY CLERK

BY

FROM:

DEPUTY CLERK

Public Agency: Templeton Community Services District

Street Address:

1400 Tenth Street

Sacramento, CA 95814

Address: PO Box 780, 420 Crocker Street, Templeton, CA 93465

Contact: Tina Mayer

Phone: 805 434-4900

Lead Agency (if different from above):

Address:

Contact:

Phone:

☒ County Clerk

County of: San Luis Obispo

Address: 1055 Monterey Street, San Luis Obispo, 93408

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): SCH# 2012041010

Project Title: Templeton Community Services District Flow Re-Routing Project

Project Location (include county): San Luis Obispo County between Paso Robles and Templeton

Project Description: Construction of a 2.4 mile pipeline to re-route wastewater from the Paso Robles WWTP to the Meadowbrook WWTP for treatment and disposal.

This is to advise that the Templeton Community Services District has approved the above described project on May 22, 2012 (Date) and has made the following determinations regarding the above described project:

1. The project ☐ will ☒ will not have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
☒ A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures ☒ were ☐ were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan ☒ was ☐ was not adopted for this project.
5. A statement of Overriding Considerations ☐ was ☒ was not adopted for this project.
6. Findings ☒ were ☐ were not made pursuant to the provisions of CEQA.

This is to certify that the Mitigated Negative Declaration and record of project approval are available to the General Public at:

Templeton Community Service District, 420 Crocker Street, Templeton, CA 93465

Signature (Public Agency)

Title: General Manager

Date: 23 May 2012

Date Received for filing at OPR:

Authority cited: Section 21083, Public Resources Code.

Reference: Sections 21000-21174, Public Resources Code.

Revised 2005





2012 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT#

427476

STATE CLEARING HOUSE # (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY Templeton Community Service District DATE 5/25/2012  
COUNTY/STATE AGENCY OF FILING COUNTY OF SAN LUIS OBISPO DOCUMENT NUMBER

PROJECT TITLE TEMPLETON COMMUNITY SERVICE DISTRICT  
PROJECT APPLICANT NAME TEMPLETON COMMUNITY SERVICE DISTRICT PHONE NUMBER 434 (805) 4900

PROJECT APPLICANT ADDRESS RD. 420 CROCKER ST. CITY Templeton STATE CA ZIP CODE 93465

PROJECT APPLICANT (Check appropriate box):  
☐ Local Public Agency ☐ School District ☒ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:  
☐ Environmental Impact Report (EIR) \$2,919.00 \$  
☒ Mitigated/Negative Declaration (ND)(MND) \$2,101.50 \$ 2101.50  
☐ Application Fee Water Diversion (State Water Resources Control Board Only) \$850.00 \$  
☐ Projects Subject to Certified Regulatory Programs (CRP) \$992.50 \$  
☒ County Administrative Fee \$50.00 \$ 50.00  
☐ Project that is exempt from fees  
☐ Notice of Exemption  
☐ DFG No Effect Determination (Form Attached)  
☐ Other \$

PAYMENT METHOD:  
☐ Cash ☐ Credit ☒ Check ☐ Other TOTAL RECEIVED \$ 2151.50

SIGNATURE [Signature] TITLE Deputy Clerk

WHITE - PROJECT APPLICANT

YELLOW - DFG/ASB

PINK - LEAD AGENCY

GOLDEN ROD - COUNTY CLERK

DFG 753.5a (Rev. 11/11)

**SUBSEQUENT MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY  
CONCERNING CHANGES TO THE PROPOSED ALIGNMENT FOR THE TEMPLETON  
COMMUNITY SERVICES DISTRICT FLOW RE-ROUTING PROJECT (SCH# 2012041010)**

**1. Project Change Title:**

**Changes to the Proposed Alignment for the Templeton Community Services District Wastewater Flow Re-Routing Project (SCH# 2012041010)**

**2. Lead Agency Name and Address:**

Templeton Community Services District ("TCSD")  
P.O. Box 780  
Templeton CA 93465

**Project Sponsor's Name and Address:**  
Same as Lead Agency

**3. Contact Person and Phone Number:**

David Foote, c/o *firma*, (805) 781-9800

**4. Project Change Location:**

The new, revised pipeline alignment will run approximately 1.5 miles connecting existing TCSD facilities and pipelines. It begins at the northern end of Main Street (near 329 North Main Street) and heads south for approximately .25 miles to Old County Road. The pipeline will then follow Old County Road south for approximately .25 miles to the intersection of Las Tablas Creek Road. The route will continue along Las Tablas Road and travel under Highway 101. At .65 miles, the pipeline will turn south at Bennett Way and terminate at the existing Westside Lift Station. See attached New Alignment of Proposed Pipeline.

**6. General Plan Designation:**

The new pipeline alignment will be contained within existing rights-of-way and roads passing along, office professional, recreation, commercial service and commercial retail, residential suburban, residential single family and residential multi-family land use designations.

**7. Zoning:**

Office Professional, recreation, commercial service and commercial retail, residential suburban, residential single family and residential multi-family land use designations.

**8. Description of the Proposed Project Changes:**

This Subsequent Mitigated Negative Declaration ("Subsequent MND") and Initial Study begins with an overview of the proposed Project changes, a discussion of the purpose of this Subsequent MND, followed by a description of the proposed changes that would be made to the previously approved TCSD Wastewater

**Flow Re-routing Project (“Project”).** Potential environmental effects are evaluated; and a conclusion based on the analysis is presented.

The new, revised pipeline alignment that is the subject of this Subsequent MND would run along approximately 1.5 miles connecting to existing TCSD facilities and pipelines. The Focused Biological Assessment attached to this document contains photographs of the proposed changes to alignment of the pipeline.

The TCSD has revised the proposed pipeline to travel 1.5 miles from North Main Street and connect to an existing lift station at Bennett Way. The new alignment will be within the right-of way (“ROW”) of existing roads and includes three creek crossings, which are anticipated to be directionally drilled or bored under the existing box coverts. This revised alignment begins at North Main Street and heads south to Old County Road. The pipeline will then follow Old County Road south to the intersection of Las Tablas Creek Road. The route will continue along Las Tablas Road and travel under Highway 101. At Bennett Way, the pipeline will turn south and terminate at the existing Westside Lift Station. The work will avoid impacts to an existing oak tree adjoining the road ROW by using directional boring within the canopy area. In addition, the Project design and construction will comply with all current County stormwater quality requirements, including all standard Best Management Practices (“BMPs”) for the protection of waterways.

This new route crosses Toad Creek at Main Street and again at Las Tablas Road. It will also cross a small tributary to Toad Creek at Main Street. The three creek crossings are shown in the attached Focused Biological Resources Assessment (August 9, 2015)(“Focused BA”).

#### **9. Purpose of this Subsequent MND and Initial Study**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines sections 15162 through 15164, this Subsequent MND and Initial Study have been prepared to address the proposed changes to the pipeline alignment.

TCSD determined that a Subsequent MND was the appropriate environmental document under CEQA because the proposed changes would involve two potentially significant new impacts as discussed under Section 4 Biological Resources and one new mitigation measure discussed in Section 5 Cultural Resources.

#### **10. Description of the Proposed Changes to the Project**

The proposed changes to the alignment will travel approximately 1.5 miles from North Main Street and connect to existing infrastructure at Bennett Way. This revised alignment begins at North Main Street and heads south along the ROW to Old County Road. The pipeline will then follow Old County Road south to the intersection of Las Tablas Creek Road. The route will then extend west along Las Tablas Road, under Highway 101, and terminate at an existing manhole in Bennett Way, south of the intersection of Las Tablas Road and Bennett Way. This manhole drains to the Westside Lift Station on Bennett Way. The new alignment will be within the ROW of existing roads and includes three creek crossings, which are anticipated to be directionally drilled or bored under existing box coverts. This new route crosses Toad Creek at Main Street and again at Las Tablas Road. It will also cross a small tributary to Toad Creek at Main Street. [What about referencing the need for boring under Highway 101.] The proposed changes are to pipeline alignments and the changes do not alter the characteristics of the remainder of the Project.

#### **11. Surrounding Land Uses and Setting:**

The new pipeline alignment would be constructed in existing ROW through developed areas and roads.

**12. Other Public Agencies Whose Approval is Required:**

California Department of Fish and Wildlife—California Fish and Wildlife Code Section 1602 Stream Alteration Agreement  
County of San Luis Obispo- Encroachment Permit

**13. Environmental Factors Potentially Affected:**

The environmental factors checked below would be potentially affected by the proposed Project changes, involving at least two impacts that are a Potentially Significant Impact as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Hazards and Hazardous Materials	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Agriculture Resources	<input type="checkbox"/>	Hydrology and Water Quality	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Air Quality	<input type="checkbox"/>	Land Use and Planning	<input type="checkbox"/>	Transportation and Traffic
X	Biological Resources	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Utilities and Service Systems
X	Cultural Resources	<input type="checkbox"/>	Noise	<input type="checkbox"/>	Mandatory Findings of Significance
<input type="checkbox"/>	Geology and Soils	<input type="checkbox"/>	Population and Housing		

- ☐ There is no evidence before the District that the project will have any potential adverse effects on fish and wildlife resources or the habitat upon which the wildlife depends. As such, the project qualifies for a de minimis waiver with regards to the filing of Fish and Game Fees.
- ☒ The project has potential to impact fish and wildlife resources and shall be subject to the payment of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.

**14. Summary of this Subsequent MND and Initial Study**

This document has been prepared as a Subsequent MND to the original MND for the Wastewater Flow Re-routing Project (SCH #2012041010) in accordance with the CEQA Guidelines section 15162. Section 15162 requires a subsequent EIR or negative declaration in only the following circumstances:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known or could not have been known with the exercise of reasonable diligence at the time the previous EIR or negative declaration was certified as complete, shows any of the following:
  - (a) The project will have one or more significant effects not discussed in the EIR or negative declaration;
  - (b) Significant effects previously examined will be substantially more severe than shown in the EIR or negative declaration;
  - (c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

- (d) Mitigation measures or alternatives which are considerably different from those analyzed in the EIR or negative declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

In the case of the revised Project pipeline alignment, two study topics were re-appraised: Cultural Resources and Biological Resources. Potential new impacts to biological resources were identified related to boring under Toad Creek [What about also mentioning the third crossing under the tributary to Toad Creek?] and two new mitigation measures BIO 3 and BIO 5 were added (see page 25). A potential new impact to cultural resources was identified related to boring under Toad Creek and trenching within close proximity to a wetland. One new mitigation measure CUL 2 was added (see page 26). Because this new information meets the standard of Section 15162(3)a of the CEQA Guidelines, a Subsequent MND and Initial Study have been prepared.

**15. Determination:**

On the basis of the evaluation in this Subsequent MND and Initial Study of the proposed changes to the Project, I find that:

- ☐ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☒ I find that although the proposed Project changes could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project sponsor in the form of this Subsequent MND.
- ☐ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project **MAY** have a potentially significant impact or potentially significant unless mitigated impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

For: Templeton Community Services District



Date: **October 26, 2015**

Signature

David Foote ASLA, Consultant



**II. ENVIRONMENTAL CHECKLIST**

	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>1. AESTHETICS.</b> Would the project:					
a) Have a substantial adverse effect on a scenic vista?					<b>X</b>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?					<b>X</b>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?					<b>X</b>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?					<b>X</b>

**Impact Discussion:**

- 1a-d. The proposed Project changes involve an underground pipeline which will not change the visual character of the environment.

<b>2. AGRICULTURE RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<b>7</b>				<b>X</b>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?					<b>X</b>

- c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

7				X
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**Impact Discussion:**

2a-c **The following analysis and conclusions apply to the revised pipeline alignment.**

**The revised pipeline alignment does not cross agricultural lands.**

Therefore, no impact is identified.

3. **AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- d) Expose sensitive receptors to substantial pollutant concentrations?
- e) Create objectionable odors affecting a substantial number of people?

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
8				X
8				X
8				X
				X
				X

**Impact Discussion:**

- 3a-e. **The following analysis and conclusions apply to the revised pipeline alignment.** The proposed construction of the pipeline would result in construction phase equipment emissions. The SLO County APCD CEQA handbook identifies significance thresholds for air pollutants, including reactive organic gases (ROG) and Nitrous oxides (NOx), diesel particulate matter (DPM), and dust (PM10). Based on this document, the proposed Project changes would not be expected to exceed construction stage emission thresholds for these pollutants because the work would be completed in less than 90 days and based on a calculation of cubic yards excavated and replaced in the pipeline trench, the daily emissions for DPM, ROG and NOx are a small fraction of the thresholds (CEQA Air Quality Handbook table 2-2). The Project is located on the edge of an area mapped in the CEQA Air Quality Handbook as potentially having naturally occurring asbestos in the geology. It is not anticipated that underlying rock will be encountered because the soils in the pipeline corridor are deep alluviums. Therefore, exposure to naturally occurring asbestos is not identified as a potential impact.



4. <b>BIOLOGICAL RESOURCES.</b> Would the project:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	2,3,10		X (BIO1 and BIO2)		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	2,3		X (BIO3)		
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	2,3,10			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	3,10		X (BIO1)		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	3				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	3				X

**Impact Discussion:**

4a. **The following analysis and conclusions apply to the revised pipeline alignment. The conclusions in this section of the Initial Study are based on the Focused BA by KMA. The following analysis and mitigation measures apply to the revised pipeline alignment crossing, riparian woodland, and primary drainage features.** The construction of the pipeline would result in ground disturbance and temporary noise. **The previous prepared Biological Assessment ("BA") and Focused BA identify the following potentially significant impacts on sensitive plant and animal species in the pipeline construction corridor:**

- Potential disturbance to occupied American badger dens
- Potential disturbance to sensitive plants that may be present including the special-status plant species associated with upland

soils, or ones that may occur in the grassland habitat within the region (Mesa horkelia, Lemmon's jewel-flower, umbrella larkspur, yellow-flowered eriastrum, Santa Cruz Mountains pussypaws)

- **Potential disturbance to nesting birds that may be present in the variety of trees, including large valley oaks and dense riparian woodland in the spring and summer.**
- **Potential disturbance to roosting bats that may be present in the variety of trees, including large valley oaks and dense riparian woodland in the spring and summer.**

**Mitigation Measures:**

**Measure BIO-1** To mitigate potential adverse effects on American badger, a qualified biologist shall conduct a pre-construction survey at least 30 days before initial site disturbance for pipeline construction to identify whether badgers are using any portion of the site. The survey shall cover the boundaries of proposed disturbance and 100 feet beyond, and shall examine both old and new dens. If potential badger dens are found, they shall be inspected to determine whether they are occupied by badgers. Occupation of the den shall be determined by one or more of the following methods:

- a. Use of a fiber optic scope to examine the den to the end;
- b. Partially obstruct the den entrance with sticks, grass, and leaves for three consecutive nights and examine for signs that animals are entering or leaving the den; and
- c. Dust the den entrance with a fine layer of dust or tracking material for three consecutive nights and examine the following mornings for footprints representing badger use. Inactive dens within construction areas shall be excavated and backfilled by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens between August and January, a qualified biologist shall establish a 50-foot diameter exclusion zone around the den entrance. To avoid disturbance and the possibility of direct take of badgers, no construction, grading, or staging of equipment shall be conducted within the buffer area until the biologist has determined that the badgers have vacated the den. If badgers are found in dens between February and July, nursing young may be present. Therefore, a County-approved biologist shall establish a 200-foot diameter buffer area around the den. No construction, grading, or staging or equipment shall be conducted within the buffer.

**Measure BIO-2** To mitigate potential impacts on sensitive plant species during construction of the pipeline, conduct a floristic inventory and rare plant survey of annual grassland habitat within the Project alignment focusing on the presence/absence of rare, threatened, or endangered plant species discussed above. To ensure adequacy of the floristic inventory and rare plant survey, it should be conducted in accordance with the guidelines recommended by the California Native Plant Society, CDFG, and the USFWS that includes:

- Conducting the survey at the proper time of year when rare plants are both evident and identifiable. This is typically during the spring/summer flowering period.
- Surveys that are floristic in nature. That is all plant species noted in the field are identified to the level necessary to determine if it is rare, threatened, or endangered.
- Conducting the survey using systematic field techniques in all suitable habitats of the site to ensure a reasonable and thorough coverage.
- Up to three visits to the site may be necessary to ensure that seasonal variations in the flowering period of the target species are adequately covered.

If non formally-listed special-status plant species are detected during the above survey, the following should be implemented:

- All soil and plant material that is cleared and grubbed for construction, and the top six inches of surface material excavated for the pipeline trench, shall be salvaged and stockpiled for use in re-spreading on the surface as part of Best Management Practices for restoration of the disturbed areas and to minimize the potential for post-project weed invasion.

4b. The proposed Project changes would not result in significant changes to the riparian environment. No riparian vegetation is proposed for removal. Effects on wetlands, vernal pools and waters of the US are discussed below.

4c. The revised pipeline alignment crosses three seasonal/ephemeral drainages with established beds and banks that are considered waters of the U.S. and waters of the State subject to US Army Corps of Engineers and California Department of Fish and Game jurisdiction. These three drainages are vegetated with non-native annual grasses and weedy species. No ground disturbance proposed within any jurisdictional drainage as it is proposed to directional bore underneath them.

**For this Subsequent MND, the three creek crossings proposed along the revised alignment pipeline construction could impact Toad Creek and an unnamed tributary drainage during construction. Direct impacts to the channels and associated vegetation can be avoided utilizing directional drilling or horizontal boring under the creeks. However, boring and trenching under and adjacent to the creek channels could cause indirect habitat impacts. Ensuring sediment-laden runoff does not leave the site during construction, and that post construction runoff is consistent with preconstruction conditions will be important to avoid potential impacts to the creek and associated water quality. The Focused BA identifies the potential adverse effects for construction to the drainage features and associated water quality.**

**Mitigation Measure:**

**Measure BIO-3**



1. Prior to the start of construction activities, the TCSD should submit a Section 1602 Streambed Alteration Agreement application to the California Department of Fish and Wildlife ("CDFW") for the three creek crossings. If a Streambed Alteration Agreement is issued for the proposed Project changes, all requirements shall be compiled with, including pre-construction surveys, worker training, monitoring, and reporting.
2. Prior to start of construction, the project work limits and staging areas adjacent to Toad Creek and tributary channel trenching and boring locations should be clearly flagged or fenced so that contractors are aware of the limits allowable site access and disturbance.
3. Prior to start of construction, the TCSD should make sure all contract personnel attend an environmental training session and are informed of the special status creek corridors and all other biological mitigation measures imposed on the proposed Project changes.
4. A Project Erosion Control Plan needs to be prepared which should identify the onsite drainage features and include any special avoidance and protection measures from CDFW consultation and issuance of a Streambed Alteration Agreement. The plan should include both temporary and permanent measures to control erosion and reduce sedimentation. A native seed mix is recommended for application on the disturbed areas through either direct hand seedling or hydro-seeding methods. See Focused Biological Resources Assessment for TCSD Wastewater Force Main Revised Alignment by KMA for Native Grassland Erosion Control Seed Mix. In addition, the plan should include specific Best Management Practices (BMP's) to minimize impacts to the onsite drainages and riparian habitat at Toad Creek. See Focused Biological Resources Assessment for TCSD Wastewater Force Main Revised Alignment by KMA for examples of BMP's.
5. Soil and material stockpiles and equipment storage areas should be at least 50 feet from any drainage or storm drain inlet that could direct sediment laden water into the creek.
6. Designated concrete washout locations should be established in areas at least 50 feet from any drainage feature or storm drain inlet. The washout should be maintained and inspected weekly, and covered prior to and during any rain event.
7. All Project-related spills of hazardous material within or adjacent to the drainage features should be cleaned up immediately. Spill prevention and cleanup materials should be on-site at all times during construction. Cleaning and refueling of equipment and vehicles should occur only within designated staging areas located at least 50 feet away from the drainage feature. The staging area should conform to standard BMPs applicable to attaining zero discharge of the stormwater runoff. At a minimum, all equipment and vehicles should be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks and spills.
8. During Project activities, all trash that may attract predators should be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris should be removed from work area.

4d. The previously prepared BA identifies the potential for construction to disrupt nesting birds along the proposed pipeline route, a potential significant impact.

**Mitigation Measure:**

**Measure BIO-4** Vegetation removal and initial site disturbance shall be conducted between September 1 and January 31 outside of the nesting season for birds. If vegetation removal is planned for the bird nesting season (February 1 to August 31), then preconstruction nesting bird surveys shall be required to determine if any active nests would be impacted by Project construction. If no active nests are found, then no further mitigation shall be required. If any active nests are found that would be impacted by construction, then the nest sites shall be avoided with the establishment of a non-disturbance buffer zone around active nests as determined by a qualified biologist. Nest sites shall be avoided and protected with the non-disturbance buffer zone until the adults and young of the year are no longer reliant on the nest site for survival as determined by a qualified biologist. As such, avoiding disturbance or take of an active nest would reduce potential impacts on nesting birds to a less-than-significant level.

The Focused BA identifies the potential for construction to disrupt roosting bats along the proposed revised pipeline route, a potential significant impact.

**Mitigation Measure:**

**Measure BIO-5** Vegetation removal and initial site disturbance shall be conducted between September 1 and January 31 outside of the roosting season for bats. If vegetation removal is planned for the bat roosting season (February 1 to August 31), then preconstruction roosting bat surveys shall be required to determine if any active roost sites would be impacted by Project construction. If no active roost sites are found, then no further mitigation shall be required. If any active roost sites are found that would be impacted by construction, then the roost sites shall be avoided with the establishment of a non-disturbance buffer zone around roost sites as determined by a qualified biologist. Roost sites shall be avoided and protected with the non-disturbance buffer zone until the adults and young of the year are no longer reliant on the roost site for survival as determined by a qualified biologist. As such, avoiding disturbance or take of an active roost would reduce potential impacts on roosting bats to a less-than-significant level.

4e-f. The proposed Project changes would not conflict with an HCP or local policy or program.

**5. CULTURAL RESOURCES.** Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- d) Disturb any human remains, including those interred outside of formal cemeteries?

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
4,11				X
4,11		X		
				X
				X

**Impact Discussion:**

5a-d. **The previous archeological investigation and analysis, as well as the previously related adopted mitigation measures, apply to the new pipeline alignment; and one new impact and mitigation measure have been identified.** Although occasional Monterey chert fragments were observed in open areas, no evidence of prehistoric or historic artifacts, features, or other indications of significant cultural resources were found during the survey. No significant cultural resources were identified as a result of this investigation of the Project area and no further archaeological work is recommended. While it is unlikely that subsurface remains are present, the nature of a surface survey does not preclude the possible existence of such remains.

**Mitigation Measure:**

**Measure CUL-1** If prehistoric or historic cultural materials are encountered during any phase of property grading or excavation, the work should be halted until a qualified archaeologist can make an assessment of the resources and proper mitigation measures be formulated in accordance with County guidelines.

**Mitigation Measure:**

**Measure CUL-2** Archeological monitoring by a qualified archaeologist be conducted while boring under Toad Creek and trenching near the wetlands area by the Westside lift station on Bennett Way. The archeological monitoring should be conducted within 200 feet on either side of Toad Creek, including the bore pits for the horizontal bore under Toad Creek and on Bennett Way in the vicinity of the wetland area.

**6. GEOLOGY AND SOILS.** Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
				X



i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.					X
ii)	Strong seismic ground shaking?					X
iii)	Seismic-related ground failure, including liquefaction?					X
iv)	Landslides?					X
b)	Result in substantial soil erosion or the loss of topsoil?					X
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?					X
d)	Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?					X
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?					X

**Impact Discussion:**

6a-e. The proposed Project changes do not involve construction of structures subject to seismic risk. The temporary ground modifications consist of trenching and backfill which would not be upon, or result in, unstable soils or geologic conditions.

7. <b>HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:		Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?					X

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b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?					<b>X</b>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?					<b>X</b>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?					<b>X</b>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?					<b>X</b>
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?					<b>X</b>
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?					<b>X</b>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?					<b>X</b>

**Impact Discussion:**

- 7a-h. The proposed Project changes do not involve the use or transport of hazardous materials, are not located near an airport, school or a hazardous materials site, and as construction is limited to only pipeline installation, the proposed Project changes would not expose people or structures to wildland fire risks or conflict with any adopted emergency response plan.

		Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>8. HYDROLOGY AND WATER QUALITY.</b> Would the project:						
a)	Violate any water quality standards or waste discharge requirements?	<b>5.6</b>				<b>X</b>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<b>5,6</b>			<b>X</b>	
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?					<b>X</b>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?					<b>X</b>
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?					<b>X</b>
f)	Otherwise substantially degrade water quality?					<b>X</b>
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?					<b>X</b>
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?					<b>X</b>
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?					<b>X</b>
j)	Inundation by seiche, tsunami, or mudflow?					<b>X</b>

**Impact Discussion:**

8a-b. **The following analysis and conclusions apply to the revised pipeline alignment. Because the Proposed Project is a subsurface pipeline,** there is no aspect of the proposed Project changes that would alter existing drainage patterns, or create or contribute to runoff. For this same reason, floodplain issues, seiche, tsunami, or mudflow would not result in impacts. Water quality impacts and mitigation are addressed in section 4 above.

8c-j. The proposed Project changes would not expose people, structures or homes to risks or hazards from flooding.

9. <b>LAND USE AND PLANNING.</b> Would the project:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?					<b>X</b>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<b>1</b>			<b>X</b>	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<b>1</b>				<b>X</b>

**Impact Discussion:**

9a. The proposed Project changes would not result in any physical barrier.

9b. The proposed Project changes are consistent with the adopted County General Plan which calls for Templeton CSD to seek additional long-term water sources. Water

9c. There is no applicable HCP or conservation plan in effect on this site or in the vicinity.

10. <b>MINERAL RESOURCES.</b> Would the project:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?					<b>X</b>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<b>1</b>				<b>X</b>



**Impact Discussion:**

10a. The proposed Project change locations are not identified as having any mineral resource value.

	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>11. NOISE.</b> Would the project result in:					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?					X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?					NA
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?					NA

**Impact Discussion:**

11a-f. **The following analysis and conclusions apply to the revised pipeline alignment.** The proposed Project changes would not result in a new permanent noise source. Temporary noise increases associated with the operation of trenching equipment will occur near receptors usually considered sensitive: single family homes. However, the activity would be subject to the County noise ordinance for construction /stationary noise sources which limit the times of operation to daytime. Compliance with this ordinance would result in less than significant noise impacts.

	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>12. POPULATION AND HOUSING.</b> Would the project:					

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a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	5,6		X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

**Impact Discussion:**

- 12a. **The following analysis and conclusions apply to the revised pipeline alignment.** The proposed Project changes would not induce growth. 12b-c. The proposed Project changes would not displace any housing or people.

**13. PUBLIC SERVICES.**

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

Police protection?

Schools?

Parks?

Other public facilities?

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
				X
				X
				X
				X
				X

**Impact Discussion:**

- 13a. The proposed Project changes would not require public services.

**14. RECREATION:**

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
				<b>X</b>
				<b>X</b>

**Impact Discussion:**

14a-b. The proposed Project changes would not directly increase population or the use of public parks. See also impact discussion under 12a.

**15. TRANSPORTATION/TRAFFIC:** Would the project:

- a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e) Result in inadequate emergency access?
- f) Result in inadequate parking capacity?
- g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
				<b>X</b>
				<b>X</b>
				<b>X</b>
				<b>X</b>
				<b>X</b>
				<b>X</b>
				<b>X</b>

**Impact Discussion:**

- 15a-g. The proposed Project changes would not increase vehicular trips on the street system, increase hazards on the roadways or result in inadequate emergency access. The proposed Project changes would result in a temporary increase in traffic on local streets due to construction vehicles over a period of months. The street network accessing the proposed pipeline route consists of local and collector streets that have adequate capacity and width to accommodate the type of excavating and other equipment that will be used for construction. See also impact discussion under 12a.

**16. UTILITIES AND SERVICE SYSTEMS.**

Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
- e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- g) Comply with federal, state, and local statutes and regulations related to solid waste?

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
				X
				X
				X
				X
				X
				X
				X

**Impact Discussion:**

- 16a-g. The proposed changes to the pipeline alignment would not require the construction of any new stormwater conveyance improvements off site that might have significant effects on the environment. See also impact discussions under 8a and 12a.



17. <b>GREENHOUSE GAS EMISSIONS.</b> Would the project:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	1			X	
	1			X	

**Impact Discussion:**

17a. The local Air Pollution Control District has not yet established significance thresholds for greenhouse gas (GHG) emissions from project operations. Nonetheless, lead agencies should make a good-faith effort to identify potential effects of a project individually and cumulatively. In this case other than the temporary trips for the construction crews to reach the site, no heavy motorized equipment will be employed that would create substantial greenhouse gases. The proposed Project changes have extremely limited potential to contribute a meaningful amount of greenhouse gas.

**Mitigation Measures: None**

17. <b>MANDATORY FINDINGS OF SIGNIFICANCE.</b>	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	3,4			X	
	3,4			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?					X

**Impact Discussion:**

- 17a. The proposed Project changes could have adverse effects on limited biological and cultural resources, but they are mitigable. The potential limited effects would not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal. The proposed Project changes would not eliminate important examples of the major periods of California history or prehistory.
- 17b. The proposed Project changes have effects that are individually limited; and they will be mitigated. These effects, after mitigation, when considered with the effects of past projects or foreseeable future projects, are not cumulatively significant.
- 17.c No substantial adverse effects on people are identified associated with the proposed Project changes.

**17. EARLIER ANALYSES.**

Earlier analysis may be used where, pursuant to a tiering program EIR or other CEQA process, one of more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063 (c) (3) (D). In this case a discussion should identify the following items:

**a) Earlier analysis used.**

Salinas Area Plan Update Final EIR, adopted by Resolution 96-24 by the County of San Luis Obispo; Mitigated Negative Declaration for Templeton Community Services District Wastewater Treatment Plant Expansion Project adopted by TCSD in 1998; Negative Declaration for the Water Retrieval Project adopted by TCSD in 2005; Mitigated Negative Declaration for the Templeton Community Services District Flow Re-routing Project adopted by TCSD in 2012; and Addendum No. 1 to the Flow Re-Routing Project adopted by TCSD in 2013.

**b) Impacts adequately addressed.** (Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.)

The Salinas Area Plan Update Final EIR adequately discussed the land use, population and growth impacts of development in the TCSD boundary. The FEIR identified a mitigation measure to expand the TCSD wastewater treatment plant, which has been implemented by the TCSD. The Mitigated Negative Declaration for Templeton Community Services District Wastewater Treatment Plant Expansion Project adequately addressed the effects of the expansion of the wastewater facility and creation of percolation ponds, along with the discharge of effluent to these ponds. Mitigation measures were adopted related to construction stage impacts (dust, tree protection, removal of contaminated soils). The Negative Declaration for the Water Retrieval Project adequately addressed the effects of recapture (retrieval) of treated wastewater percolated from the Meadowbrook wastewater treatment facility by pumping that water from the Salinas River underflow at the District's existing downstream well(s). The Mitigated Negative Declaration for the Templeton Community Services District Flow Re-routing Project adopted in 2012 adequately addressed the wastewater operations change in discharge location, purpose of use and place of use.

**c) Mitigation measures.** (For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions of the project.) None identified.

<b>18.</b>	<b>SOURCE REFERENCES.</b>
1.	Salinas River Area Plan Land Use Element- Circulation Element, 1996, County of San Luis Obispo
2.	Revised Numerical Evaluation of Impacts of Treated Wastewater Effluent Discharge in the Selby Percolation Pond Facility on the Salinas River and its Alluvium, Templeton, California, Fugro, 2012
3.	TCSD Change in Wastewater Operations Project Biological Assessment, Sage Institute, 2012
4.	Linear Archaeological Inventory Survey of a proposed ±2.3 mile sewer line, Templeton, San Luis Obispo County, California, Cultural Resource Management Services, 2011
5.	Initial Study and Mitigated Negative Declaration for TCSD Water Retrieval Project, TCSD, 2005
6.	Initial Study and Mitigated Negative Declaration for Templeton Community Services District Percolation Pond Expansion Project, TCSD 2005
7.	Soil Survey of San Luis Obispo County-Paso Robles Area, Natural Resource Conservation Service, USDA
8.	CEQA Air Quality Handbook, San Luis Obispo County Air Pollution Control District, 2009
	Initial Study and Mitigated Negative Declaration for TCSD Flow Re-routing Project 2012
9.	Addendum to a Previous Archeological Inventory Survey of Proposed 2.3 mile Sewer Line, Templeton, San Luis Obispo County, California, CRMS April 2013.
	Addendum to Initial Study and Mitigated Negative Declaration for TCSD Flow Re-routing Project 2013
<b>10.</b>	<b>Focused Biological Resources Assessment for TCSD Wastewater Force Main Revised Alignment, KMA, August 2015</b>
<b>11.</b>	<b>Archaeological Inventory Survey of a Proposed Sewer Force Main, Templeton, San Luis County, California, CRMS, August 2015</b>

### III. MITIGATION MONITORING AND REPORTING PROGRAM

#### MITIGATION MEASURES / MONITORING AND REPORTING.

**Measure BIO-1** To mitigate potential adverse effects on American badger, a qualified biologist shall conduct a pre-construction survey at least 30 days before initial site disturbance for pipeline construction to identify whether badgers are using any portion of the site. The survey shall cover the boundaries of proposed disturbance and 100 feet beyond, and shall examine both old and new dens. If potential badger dens are found, they shall be inspected to determine whether they are occupied by badgers. Occupation of the den shall be determined by one or more of the following methods:

- a. Use of a fiber optic scope to examine the den to the end;
- b. Partially obstruct the den entrance with sticks, grass, and leaves for three consecutive nights and examine for signs that animals are entering or leaving the den; and
- c. Dust the den entrance with a fine layer of dust or tracking material for three consecutive nights and examine the following mornings for footprints representing badger use.

Inactive dens within construction areas shall be excavated and backfilled by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens between August and January, a qualified biologist shall establish a 50-foot diameter exclusion zone around the den entrance. To avoid disturbance and the possibility of direct take of badgers, no construction, grading, or staging of equipment shall be conducted within the buffer area until the biologist has determined that the badgers have vacated the den. If badgers are found in dens between February and July, nursing young may be present. Therefore, a County-approved biologist shall establish a 200-foot diameter buffer area around the den. No construction, grading, or staging or equipment shall be conducted within the buffer.

#### **Mitigation Implementation/Monitoring**

- 1) **Performance Standard:** Conduct survey and implement measures to reduce impacts
- 2) **Contingency Measure:** As identified by biologist
- 3) **Implementation Responsibility:** District
- 4) **Implementation Schedule:** Pre-construction and during construction
- 5) **Monitoring Method:** District retain biologist

**Measure BIO-2** To mitigate potential impacts on sensitive plant species during construction of the pipeline, conduct a floristic inventory and rare plant survey of annual grassland habitat within the pipeline alignment focusing on the presence/absence of rare, threatened, or endangered plant species discussed above. To ensure adequacy of the floristic inventory and rare plant survey, it should be conducted in accordance with the guidelines recommended by the California Native Plant Society, CDFW, and the USFWS that includes:

- Conducting the survey at the proper time of year when rare plants are both evident and identifiable. This is typically during the spring/summer flowering period.
- Surveys that are floristic in nature. That is all plant species noted in the field are identified to the level necessary to determine if it is rare, threatened, or endangered.
- Conducting the survey using systematic field techniques in all suitable habitats of the site to ensure a reasonable and thorough coverage.
- Up to three visits to the site may be necessary to ensure that seasonal variations in the flowering period of the target species are adequately covered.

If non formally-listed special-status plant species are detected during the above survey, the following should be implemented:

- All soil and plant material that is cleared and grubbed for construction, and the top six inches of surface material excavated for the pipeline trench, shall be salvaged and stockpiled for use in re-spreading on the surface as part of Best Management Practices for restoration of the disturbed areas and to minimize the potential for post-project weed invasion.

#### **Mitigation Implementation/Monitoring**

- 1) **Performance Standard:** Conduct survey at appropriate season and implement measures to reduce impacts
- 2) **Contingency Measure:** As identified by biologist
- 3) **Implementation Responsibility:** District
- 4) **Implementation Schedule:** Pre-construction
- 5) **Monitoring Method:** District retain biologist



**Measure BIO-3.** Boring and trenching under and adjacent to the creek channels could cause indirect habitat impacts from drilling fluids entering the creek. Ensuring sediment-laden runoff does not leave the site during construction, and that post construction runoff is consistent with preconstruction conditions will be important to avoid potential impacts to the onsite drainage features.

**Mitigation Implementation/Monitoring**

1. Prior to the start of construction activities, the TCSD should submit a Section 1602 Streambed Alteration Agreement application to CDWF for the three creek crossings. If a Streambed Alteration Agreement is issued for the crossings, all requirements shall be compiled with, including pre-construction surveys, worker training, monitoring, and reporting.
2. Prior to start of construction, the Project work limits and staging areas adjacent to Toad Creek and tributary channel trenching and boring locations should be clearly flagged or fenced so that contractors are aware of the limits allowable site access and disturbance.
3. Prior to start of construction, the TCSD should make sure all contract personnel attend an environmental training session and are informed of the special status creek corridors and all other biological mitigation measures imposed on the Project.
4. A Project Erosion Control Plan shall be prepared, which should identify the onsite drainage features and include any special avoidance and protection measures from CDFW consultation and issuance of a Streambed Alteration Agreement. The plan should include both temporary and permanent measures to control erosion and reduce sedimentation. A native seed mix is recommended for application on the disturbed areas through either direct hand seedling or hydro-seeding methods. See Focused Biological Resources Assessment for TCSD Wastewater Force Main Revised Alignment by KMA for Native Grassland Erosion Control Seed Mix. In addition, the plan should include specific Best Management Practices (BMPs) to minimize impacts to the onsite drainages and riparian habitat at Toad Creek. See Focused Biological Resources Assessment for TCSD Wastewater Force Main Revised Alignment by KMA for examples of BMPs.
5. Soil and material stockpiles and equipment storage areas should be at least 50 feet from any drainage or storm drain inlet that could direct sediment laden water into the creek.
6. Designated concrete washout locations should be established in areas at least 50 feet from any drainage feature or storm drain inlet. The washout should be maintained and inspected weekly, and covered prior to and during any rain event.
7. All Project-related spills of hazardous material within or adjacent to the drainage features should be cleaned up immediately. Spill prevention and cleanup materials should be on-site at all times during construction. Cleaning and refueling of equipment and vehicles should occur only within designated staging areas located at least 50 feet away from the drainage feature. The staging area should conform to standard BMPs applicable to attaining zero discharge of the stormwater runoff. At a minimum, all equipment and vehicles should be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks and spills.
8. During Project activities, all trash that may attract predators should be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris should be removed from work area.

**Measure BIO-4** Vegetation removal and initial site disturbance shall be conducted between September 1 and January 31 outside of the roosting season for birds. If vegetation removal is planned for the bird nesting season (February 1 to August 31), then preconstruction nesting bird surveys shall be required to determine if any active nests would be impacted by Project construction. If no active nests are found, then no further mitigation shall be required. If any active nests are found that would be impacted by construction, then the nest sites shall be avoided with the establishment of a non-disturbance buffer zone around active nests as determined by a qualified biologist. Nest sites shall be avoided and protected with the non-disturbance buffer zone until the adults and young of the year are no longer reliant on the nest site for survival as determined by a qualified biologist. As such, avoiding disturbance or take of an active nest would reduce potential impacts on nesting birds to a less-than-significant level.

**Mitigation Implementation/Monitoring**

- 1) **Performance Standard:** Conduct survey at appropriate season and implement measures to reduce impacts

- 2) **Contingency Measure:** As identified by biologist
- 3) **Implementation Responsibility:** District
- 4) **Implementation Schedule:** Pre-construction
- 5) **Monitoring Method:** District retain biologist

**Measure BIO-5** Vegetation removal and initial site disturbance shall be conducted between September 1 and January 31 outside of the roosting season for bats. If vegetation removal is planned for the bat roosting season (February 1 to August 31), then preconstruction roosting bat surveys shall be required to determine if any active roosts would be impacted by project construction. If no active roosts are found, then no further mitigation shall be required. If any active roosts are found that would be impacted by construction, then the roost sites shall be avoided with the establishment of a non-disturbance buffer zone around active roosts as determined by a qualified biologist. Roost sites shall be avoided and protected with the non-disturbance buffer zone until the adults and young of the year are no longer reliant on the roost site for survival as determined by a qualified biologist. As such, avoiding disturbance or take of an active roost would reduce potential impacts on roosting bats to a less-than-significant level.

**Mitigation Implementation/Monitoring**

- 1) **Performance Standard:** Conduct survey at appropriate season and implement measures to reduce impacts
- 2) **Contingency Measure:** As identified by biologist
- 3) **Implementation Responsibility:** District
- 4) **Implementation Schedule:** Pre-construction
- 5) **Monitoring Method:** District retain biologist

**Measure CUL-1** If prehistoric or historic cultural materials are encountered during any phase of property grading or excavation, the work should be halted until a qualified archaeologist can make an assessment of the resources and proper mitigation measures are formulated in accordance with County guidelines.

**Mitigation Implementation/Monitoring**

- 1) **Performance Standard:** Grading Plans to include notes to stop work if cultural remains unearthed.
- 2) **Contingency Measure:** As identified by archaeologist and County guidelines
- 3) **Implementation Responsibility:** District
- 4) **Implementation Schedule:** during construction
- 5) **Monitoring Method:** District verify grading plan provides directives to stop work if cultural remains unearthed,

**Measure CUL-2** Archeological monitoring by a qualified archaeologist shall be conducted while boring under Toad Creek and trenching near the wetlands area by the Westside lift station on Bennett Way. The archeological monitoring should be conducted within 200 feet on either side of Toad Creek, including the bore pits for the horizontal bore under Toad Creek and on Bennett Way in the vicinity of the wetland area.

**Mitigation Implementation/Monitoring**

- 1) **Performance Standard:** Monitoring should be conducted within 200 feet of creek and wetlands.
- 2) **Contingency Measure:** As identified by archaeologist and County guidelines
- 3) **Implementation Responsibility:** District
- 4) **Implementation Schedule:** during construction
- 5) **Monitoring Method:** District retain archeologist